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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3691 OF 2006

M/s. Deccan Founder and Engineers ... Petitioner

V/s

Assistant Provident Fund Commissioner ... Respondent

Mr. M.S. Topkar for the petitioners.

Ms. Seema Chattri for Ms. Suresh Kumar for the respondent.

CORAM: SMT. NISHITA MHATRE, J.

DATED: 5TH SEPT., 2007.

P.C.:

1. The petitioner challenges the order passed under Section 7A of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 dated 25.1.2005. The order dated 20.3.2006, which is a show cause notice under Section 8B issued before the warrant of arrest, has also been challenged in this petition. These orders can be effectively challenged in an appeal which has been provided under the statute. The writ petition is not maintainable in view of this alternative efficacious remedy.

2. The petition is, therefore, rejected leaving the petitioner to take appropriate steps under the Act by filing an appeal.

3. Interim order passed by this Court on 13.11.2006 to continue for the period of four weeks from today.

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